

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18079 of 2021

Arising Out of PS. Case No.-41 Year-2020 Thana- EKANGARSARAI District- Nalanda

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1. BABLI KUMARI, Wife of Anshuman Kumar, Resident of Village- Manpur, P.S.- Ekanger Sarai, District- Nalanda, At present- Kalyanpur, P.S.- Fatuha, District- Patna
 2. SANJU DEVI @ MANJU DEVI, Wife of Vijay Prasad, Resident of Village- Kalyanpur, P.S.- Fatuha, District- Patna ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners	:	Mr. Kaushal Kishor, Adv.
For the State	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	Mr. Ravi Shankar Pankaj, Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2021

Heard learned counsel for the petitioners, the learned counsel for the informant and the learned Additional Public Prosecutor appearing for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite Court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 306/34 of the Indian Penal Code.

The prosecution case relates to taking poison by the parents of the informant and they succumbed to death. The motive behind taking the poison that the petitioners have given an application for initiation the proceeding under Section 144 of the Criminal Procedure Code. It is submitted on behalf of the



petitioners that father-in-law of petitioner no. 1, Babli Kumari is the deceased, namely, Ganga Prasad executed a sale deed no. 2104 in favour of petitioner no. 1 on 06.04.2017 after taking consideration amount. It is submitted that petitioner no. 1 is the daughter-in-law of deceased Ganga Prasad and Kanti Devi. It is further submitted that the informant, Pappu Kumar, who is brother of husband of petitioner no. 1 has taken legal step to remove the encroachment over the aforesaid land. It is submitted that the petitioners has not instigated the deceased for consuming the poison.

In the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Ekanger Sarai P.S. Case No. 41 of 2020 subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Sunil Kumar Panwar, J)

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